IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.653 OF 2006

Sheetal Anant Upadhaye & Ors. .. Petitioners.
Vs.
Anant Tatoba Upadhaye & Anr. .. Respondents.

Mr.Vijay Killedar for the petitioner.
Mrs.M.M.Deshmukh A.P.P. for the State.

CORAM : D.B.BHOSALE, J.

DATED : 8TH AUGUST, 2006

P.C.:

. Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. On the petitioners depositing the litigation cost of Rs.5,000/- in the trial Court within one week from today and on production of proof thereof, office to issue notice to respondent no.1, returnable in four weeks therefrom. In addition to the Court notice, the petitioners shall serve respondent no.1 by the advocate's notice either personally or through R.P.A.D./speed post /e-mail/fax and file affidavit of service before the adjourned date, failing which, this application shall stand dismissed for non prosecution without further reference to the Court, even if the court notice remains unserved.

3. Notice to indicate that the litigation amount would be allowed to be withdrawn by respondent no.1 unconditionally. The petitioners are also directed to deposit entire arrears of maintenance within five weeks from today. If the petitioners fail to deposit either litigation cost or arrears of maintenance as aforestated, this petition shall stand dismissed for non prosecution without further reference to the Court.

(D.B.Bhosale, J.)